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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------|------------------------|
| 10/039,999 | 10/24/2001 | Derek K. Gauger | GDK-100-B | 9338 |
| 7590 YOUNG & BASILE, P.C. Suite 624 3001 West Big Beaver Road Troy, MI 48084-3107 | | | EXAMINER VIG, NARESH | |
| | | | ART UNIT 3629 | PAPER NUMBER |
| | | | MAIL DATE 05/04/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-------------------------------|----------------------------------|--|
| Office Action Summary | Application No. 10/039,999 | Applicant(s) GAUGER, DEREK K. | |
| | Examiner Naresh Vig | Art Unit 3629 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 52-54 and 3441 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 41 and 53 is/are rejected.
- 7) ☒ Claim(s) 34, 52 and 54 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of claims 1 – 6, 9, 34, 42 in the reply filed on 29 January 2007 is acknowledged. Addition of new claims 52 – 54 is also acknowledged. Claims 1 – 6, 9, 34, 42 and 52 – 54 are pending for examination.

Oath/Declaration

The combined Declaration and Power of Attorney filed 18 June 2003 shows that applicant is claiming priority under 35 USC 119 on Provisional Application filed 24 October 2001. However, filing date of Provisional Application upon which applicant is claiming priority was filed 24 October 2000. Applicant is requested to review the combined Declaration and Power of Attorney and file corrected Declaration.

Response to Arguments

Applicant's arguments and concerns are for amended claims and newly added claims which have been responded to in response to the pending claims.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 3 are rejected under 35 U.S.C. 102(b) as being anticipated by online collaboration software DecisionRoom hereinafter known as DecisionRoom.

Regarding claim 1, DecisionRoom teaches concept of an interactive computer method for managing a project. DecisionRoom teaches capability for:

establishing a plurality of information modules in an interactive computer system to control at least providing issue resolution, scheduling and attending meetings;

defining authorized individuals who have access to the interactive computer system providing electronic data interchange for a project;

creating an electronic collaboration center in one of the modules on the computer system for the time disjointed electronic interaction of authorized individuals on the project (A team member can get work done and communicate to the rest of the team any time, any where...no time zone restrictions) [DecisionRoom Page 9];

determining in the collaboration center access to the collaboration center by the authorized individuals;

defining a collaboration in the collaboration center including a collaboration leader and a collaboration summary and including at least collaboration purpose;

accepting input information at the collaboration center from authorized individuals to facilitate resolution of a project issue;

using the collaboration center for planning and resolving a collaboration purpose.

Regarding claim 2, DecisionRoom teaches concept of allowing all authorized individuals to perform review.

Regarding claim 3, DecisionRoom teaches capability for notifying all authorized individuals of a change in at least one of the collaboration purpose (DecisionRoom teaches using Lotus Notes a commercially available email application) [DecisionRoom page 13].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 – 6, 9, 41 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over online collaboration software Decision Room hereinafter known as DecisionRoom.

Regarding claim 4, DecisionRoom teaches capability for:

Art Unit: 3629

forwarding one of a question and an issue involving at least one element of the collaboration to be decided by all authorized project individuals (e.g. via email);

DecisionRoom does not explicitly teach accepting votes of authorized individuals for the issue on at least one element of the collaboration. However, it is old and known in business meetings that team leader like Project Manager solicits votes from authorized team members to make an educated decision.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that Decision is capable of being used by a team leader to solicits votes from authorized team members to make an educated decision.

Decision Room as modified teaches

making a decision by the project leader on the issue based in part on the votes, capability for displaying the results of the vote.

Regarding claim 5, Decision Room teaches capability for maintaining and displaying the status of each collaboration.

Regarding claim 6, DecisionRoom teaches capability for providing the collaboration center with the capability of receiving documents attached to authorized individual responses.

Regarding claim 9, DecisionRoom teaches capability for using bi-directional electronic mail interaction between authorized individuals and the information modules.

Regarding claim 41, DecisionRoom teaches capability for:

providing an electronic notepad for each authorized individual to make personal notes about any item of information in the network relating to the projects (DecisionRoom teaches using Lotus Notes; LotusNotes has capability of Notepads provided to users);

attaching the personal notes to the items of information for use only by the authorized individual.

Regarding claim 53, DecisionRoom teaches capability for:

defining by a project leader a plurality of organizational categories; and
specifying the name of at least one authorized individual as the request recipient for each defined organization category.

Allowable Subject Matter

Claims 34, 52 and 54 are deemed to be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

Conclusion

Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on Mon-Thu 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Naresh Vig
Examiner
Art Unit 3629